

### REMARKS

It is noted that Claims 5-8 are pending in the application. Claim 5 is independent while Claims 6-8 depend therefrom.

The rejection of Claims 5-7 under 35 U.S.C. § 112 is respectfully traversed. The foregoing amendments should obviate the Examiner's objections to Claims 5-7. Reconsideration is therefore requested.

Rejection of Claims 5 and 7 under 35 U.S.C. § 102(b) as being anticipated by Otaka (U.S. Patent No. 5,796,286) is respectfully traversed. First, the Examiner is asked to note that the novelty of Claim 5, as recited above, is that the size of the gate voltage fed from the gate voltage source is selectable by a *changeover device*, depending on the desired linearity or switching speed. This feature is not shown, disclosed, or even hinted at in Otaka.

Otaka describes in Figure 2 a normal electronic high frequency switch with a field effect transistor Q11 whose switching condition is controlled via switch S11. A gate voltage  $V_{dd}$  switches the transistor ON, and a gate voltage GND switches the transistor OFF, as this is explained in detail in Col. 4, lines 22-31 and 51-53, for the ON-state and from Col. 4, lines 60-64 for the OF-state. Therefore, Otaka is comparable to the reference D1 (U.S. Patent Application Publication No. 2002/0196098) of the original international preliminary report of the European Patent Office, in which the European Examiner explained in detail that starting from such prior art it was new and not obvious to use in combination with such an electronic switch gate voltages with different values so that the switch can be operated by the user with optimum properties with regard to linearity and switching speed. This is explained in detail for instance on page 3, lines 3-15, or page 5, lines 8-23, of the original description. (See International Preliminary Report of the European Examiner under point 2, "citations and explanations" rule 70.7).

The switch S of Figure 1 of the application has a totally different function than the switch S11 of Otaka. The switch S11 of Otaka is the ON/OFF-switch for the transistor Q11 whereas the switch S of the invention is the "changeover device" for selecting the size of the gate voltage, depending on the desired linearity or switching speed. According to the description on page 5, the user can choose between two separate voltage sources U1, U2. Both voltage sources U1, U2 are switchable--controlled by the switching control A--between a voltage of OV for ON or -8V (U1) or -5,5V (U2) for OFF. The switches for ON/OFF-comparable to S11 of Otaka are integrated in the switchable voltage sources U1 and U2, respectively (see descriptions on page 5, lines 11-23).

The rejection of Claims 6-8 under 35 U.S.C. § 103(a) as being unpatentable over Otaka in view of Barta (U.S. Patent No. 4,975,604) is respectfully traversed. Claims 6-8 depend from Claim 5. Claim 5 is neither anticipated by nor rendered obvious by Otaka as set forth above.

Further, the Barta reference does not show a correction device with the features of Claim 6. The correction device for correcting additional high frequency properties of the switch, for example, transmission or reflection, is known *per se* as explained in the original description on page 6, line 19. The scope of Claim 6 is only to combine the teaching of Claim 5 with such a known correction device K known *per se* and, of course, this is also new and not obvious.

Barta uses two identical attenuator cells 10 and 12 connected to an amplifier 14 for equalizing the characteristic impedances of the two cells 10 and 12, regardless of variation in attenuation, i.e., to provide constant impedances and low return-loss characteristic as explained in detail in Col. 2, lines 20-22, and in Col. 5, lines 34-53, but this is not comparable with a correction device known *per se* mentioned in Claim 6.


Dependent Claims 7 and 8 are directed to features for using an electronic high frequency switch according to Claim 5 or 6 in an attenuator. This, of course, is also new and not obvious because the switch according to Claim 5 and 6 is new and not obvious.

In view of the foregoing amendments and said remarks, it is believed that Claims 5-8 are now in allowable condition. The Examiner is therefore respectfully requested to reexamine the application, to reconsider and withdraw the rejections of the claims, and to promptly allow the case and pass it to issue.

If the Examiner has any further questions or comments, he is invited to call applicant's attorney at the number listed below.

Respectfully submitted,

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